

Hartman in view of Minnick. Applicants respectfully traverse these grounds of rejection and urge reconsideration in light of the following comments.

The presently claimed invention is directed to a wall structure that is contained in a building structure that is exposed to transverse wind loading. The wall structure is made up of a first layer having a density of from 0.5 to 3 pounds/cubic foot and a second, reinforcing layer selected from the group consisting of a polymer fabric, a biaxially oriented polymeric film and a fiberglass-reinforced material directly bonded to the first layer. In terms of physical properties, the wall structure of the present invention has a mechanical strength of at least 46 pounds per square foot.

As discussed in our previous Responses, the instant invention allows for the use of a foam or lightweight insulated material without the need of support from wood sheathing or other structural raw sheathing components in hurricane-prone geographic areas. Currently, builders have to eliminate energy-saving foam panel insulating materials or use alternative building methods in order to provide affordable construction in these hurricane-prone geographic areas. The present invention provides an economically viable alternative that can improve energy efficiency and/or lower the cost of construction. It is respectfully submitted that the prior art cited by the Examiner does not disclose the presently claimed invention.

The Minnick reference discloses a lightweight, high-strength laminate suitable for use as prefabricated building panels. This laminate is available in two embodiments, a preferred embodiment including a low density fiber-reinforced thermoplastic sheet core provided between two parallel sheets of high density fiber-reinforced thermoset resins and a second embodiment having a core of polymeric foam laminated between two parallel inner fiber-reinforced thermoplastic resin layers, each of which face an outer layer of fiber-reinforced thermoplastic resin. This reference has no disclosure regarding the laminated product there having a mechanical strength of at least 46 pounds per square foot or that the

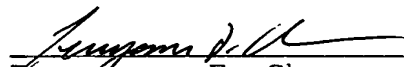
laminate could be used in a wall structure that is contained in a building structure exposed to transverse wind loading. Since Claim 23 is in "Jepson" format, the preamble of the claim must be given consideration and does serve as a limitation on the claimed subject matter. Therefore, it is respectfully submitted that the presently claimed invention is patentably distinguishable over Minnick.

The Hartman reference discloses an insulating panel for protecting walls and roofs and comprising a foam layer 12, a weathering layer 14 and a backer layer 16. This reference has no disclosure with respect to a second reinforcing layer made of a polymer fabric, a biaxially oriented polymeric film or a fiberglass-reinforced material.

Neither Hartman nor the primary Minnick reference has any disclosure with respect to a cellulosic layer or a biaxially oriented polymeric film being contained in the laminate. The present invention, in certain claims, expressly requires that these components be present. Claims 2, 11, 15-22, 24 and 25 cannot be ignored by the Examiner and included in his general rejection of the claims because they contain specific features which are not described at all or made obvious by the disclosures of the cited prior art.

The Examiner is respectfully requested to reconsider the present application and to pass it to issue.

Respectfully submitted,

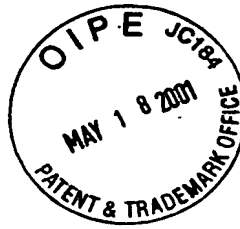
  
Terryence F. Chapman

TFC/smd

FLYNN, THIEL, BOUTELL	Dale H. Thiel	Reg. No. 24 323
& TANIS, P.C.	David G. Boutell	Reg. No. 25 072
2026 Rambling Road	Ronald J. Tanis	Reg. No. 22 724
Kalamazoo, MI 49008-1699	Terryence F. Chapman	Reg. No. 32 549
Phone: (616) 381-1156	Mark L. Maki	Reg. No. 36 589
Fax: (616) 381-5465	David S. Goldenberg	Reg. No. 31 257
	Sidney B. Williams, Jr.	Reg. No. 24 949
	Liane L. Churney	Reg. No. 40 694
	Brian R. Tumm	Reg. No. 36 328

Encl: Marked-Up Amended Claim 23  
Clean/Replacement Amended Claim 23  
Postal Card

Marked-Up Amended Claim 23  
NSP Case 5



May 14, 2001  
08/982 559

23. (Amended) In a wall structure that is contained in a building structure ~~subject to government regulations with respect~~ exposed to transverse wind loading, the improvement comprising said wall structure containing a first layer having a density of about 0.5-3 lb./ft.<sup>3</sup> and a second, reinforcing layer selected from the group consisting of a polymer fabric, a biaxially oriented polymeric film and a fiberglass reinforced material directly bonded to the first layer and having a mechanical strength of at least 46 lbs./ft.<sup>2</sup>.

RECEIVED  
MAY 22 2001  
TC 1700